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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

EPIC GAMES, INC.,

Plaintiff, Counter-defendant,
v.

APPLE INC.,

Defendant, Counterclaimant.

Case No. 4:20-cv-05640-YGR-TSH

**DECLARATION OF M. BRENT
BYARS IN SUPPORT OF EPIC
GAMES, INC.'S
ADMINISTRATIVE MOTION TO
SEAL PORTIONS OF EX.
EXPERT 1**

Judge: Hon. Yvonne Gonzalez Rogers

DECLARATION OF M. BRENT BYARS IN SUPPORT OF EPIC'S ADMINISTRATIVE
MOTION TO SEAL PORTIONS OF EX. EXPERT 1
Case No. 4:20-cv-05640-YGR-TSH

I, M. Brent Byars, declare as follows:

1. I am a Senior Attorney at Cravath, Swaine & Moore LLP, counsel to Epic Games, Inc. (“Epic”) in the above-captioned actions. I am admitted to appear before this Court *pro hac vice*.

2. I submit this declaration pursuant to Civil Local Rule 79-5. The contents of this declaration are based on my personal knowledge.

3. Epic’s Ex. Expert 1 contains materials that Apple has designated as CONFIDENTIAL or HIGHLY CONFIDENTIAL pursuant to the Protective Order entered in this Court. Epic is serving its Motion and Declaration on Apple pursuant to Civil Local Rule 79-5(e). The following Table shows the portions of Ex. Expert 1 that may contain Apple-designated material.

Ex. Expert 1 Paragraph or Table Number	Affected Party
Paragraph 151	Apple
Table 4	Apple

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that I executed this declaration on May 17, 2021 in Oakland, California.

/s/ M. Brent Byars
M. Brent Byars